APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,230	09/25/2003	Thomas Gauweiler	11884/401202	8715

26646   7590   07/31/2007
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EXAMINER
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ART UNIT	PAPER NUMBER
2161	

MAIL DATE	DELIVERY MODE
07/31/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _25 June 2007_.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-3,7-18,20 and 22-26_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-3,7-18,20 and 22-26_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _25 September 2003_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Claim Status

Claims 1-3, 7-18, 20 and 22-26 are pending, claims 4-6, 19 and 21 have been cancelled.

Claims 1-3, 7-18, 20 and 22-26 are rejected as detailed below.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 1 recites "determining whether the file has been updated upon a startup of the computer application by comparing a further datestamp and a further filesize of a further file stored on the mobile device to the datestamp and the filesize." The specification lacks written description regarding:

(1) further datestamp

(2) further filesize

(3) further file

Examiner notes the word further is <u>not</u> (emphasis added) included in the specification.

Claim 1 recites "mapping the binary structure by the computer application from the

memory if the file has not been updated." Furthermore, claim 1 recites "storing the file on the

mobile device" and also recites " recording the binary structure in a memory of the mobile

device." The specification does not describe what comprises "storing the file" and what

comprises recording the binary structure of the file in a memory of the mobile device.

Claim 1 recites "transforming the file into a binary structure at an initial run of a

computer application running on the mobile device." Furthermore, claim 1 recites "determining

whether the file has been updated upon a startup of the computer application." The specification

does not describe what comprises "an initial run of a computer application" and what comprises

"a startup of the computer application."

Claim 1 recites "storing the file on the mobile device" and furthermore recites "recording

the binary structure in a memory of the mobile device." The specification does not describe in a

clear and concise manner what difference, if any, exists between the "file" and the "binary

structure."

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claim   rejected under 35 U.S.C. 103(a) as being unpatentable over Pub No US

2001/0056504 (Kuznetsov), hereafter Kutnetsov in view of Pub No US 2004/0003013

(Coulthard et al), hereafter Coulthard and further in view of US Pat No 6,282,709 (Reha et al),

hereafter Reha.

<u>Claims 1, 15, 20 and 26:</u>

Kuznetsov discloses:

(a) creating in a design environment a file that relates at least one business object [K, e-

business, paragraph 19, Fig 8b, invoice] and at least one query [K, paragraph 83, query module]

(b) communicating the file to a mobile device [K, paragraph 104, WAP, PDA, paragraph

106];

(c) storing the file on the mobile device [K, paragraph 40, translation occurs at the

receiving node];

(d) transforming [K, paragraphs 40, 83, 90] the file into a binary structure at an initial run

[K, paragraph 36] of a computer application running on the mobile device, the binary structure

adapted to be read by the computer application

(e) recording the binary structure in a memory of the mobile device [machine executable

code implies storage, abstract]

Kuznetsov discloses the elements of the claimed invention as noted above but does not

disclose a file that determines metadata. Coulthard discloses a file that determines metadata

[Coulthard, abstract, paragraphs 9, 11, 16]. It would have been obvious to one of ordinary skill

in the art at the time the invention was made to modify Kutnetsov to include a file that

determines metadata for the purpose of supporting the transfer of resources across the Internet

[Coulthard, abstract]

The combination of Kuznetsov and Coulthard discloses storing a datestamp and a filesize

in the memory with the binary structure, the datestamp and the filesize uniquely identifying the

file corresponding to the binary structure [Coulthard, paragraphs 11 and 12]

The combination of Kuznetsov and Coulthard discloses the elements of the claimed

invention as noted above but does not disclose determining whether the file has been updated

upon a startup of the computer application by comparing a further datestamp and a further

filesize of a further file stored on the mobile device to the datestamp and the filesize,

respectively, recorded with the binary structure. Reha discloses a version checking method

which can include 1) check local file(s) size and time and date stamp and 4) determining whether

a particular program exists and is current [col 4, lines 55-65]. It would have been obvious to one

of ordinary skill in the art at the time the invention was made to modify the above combination

of references to include determining whether the file has been updated upon a startup of the

computer application by comparing a further datestamp and a further filesize of a further file

stored on the mobile device to the datestamp and the filesize, respectively, recorded with the

binary structure based upon the teachings of Reha for the purpose of determining whether a file

is current [col 4, line 63].

The combination of Kuznetsov, Coulthard and Reha discloses mapping the binary structure by the computer application from the memory if the file has not been updated [Reha discloses whether the file is current, col 4, lines 55-65]

Claim 2:

The combination of Kuznetsov, Coulthard and Reha discloses the elements of the claimed invention as noted above and furthermore discloses wherein the method is adapted to create a database access system [Kutnetsov, paragraph 83, query module]

Claims 3 and 18:

The combination of Kuznetsov, Coulthard and Reha discloses the elements of the claimed invention as noted above and furthermore discloses wherein the file is an XML file [Kuznetsov, paragraph 22]

Claims 7, 22 and 24:

The combination of Kuznetsov, Coulthard and Reha discloses the elements of the claimed invention as noted above and furthermore discloses if the at least one of the further datestamp and the further filesize of the further file stored on the mobile device correspond with the at least one of the datestamp and the filesize recorded with the binary structure, then the file and the further file are identical and the file has not been updated [Coulthard: paragraphs 11, 12, Reha col 4, lines 55-65]

Claims 8, 23 and 25:

The combination of Kuznetsov, Coulthard and Reha discloses the elements of the

claimed invention as noted above and furthermore discloses if the at least one of the further

datestamp and the further filesize of the further file stored on the mobile device do not

correspond with the at least one of the datestamp and the filesize recorded with the binary

structure, then the file and the further file are not identical and the file has not been updated

[Coulthard: paragraphs 11, 12 and Reha col 4, lines 55-65]

Claim 9:

The combination of Kuznetsov, Coulthard and Reha discloses the elements of the

claimed invention as noted above and furthermore discloses repeating operations (d) and (e) for

the further file [Coulthard: paragraph 12, Reha col 4, lines 55-65]

Claim 10:

The combination of Kuznetsov, Coulthard and Reha discloses the elements of the

claimed invention as noted above and furthermore discloses creating a new file to change the

metadata; and repeating the operations of (b), (c), (d), and (e) for the new file [Coulthard,

paragraph 12 ,Reha col 4, lines 55-65]

Claim 11:

The combination of Kuznetsov, Coulthard and Reha discloses the elements of the

claimed invention as noted above and furthermore discloses wherein the metadata describes at

least one of: actual data; at least one attribute for the at least one business object; at least one

relationship between a plurality of business objects; and the at least one query [Coulthard, abstract, paragraphs 9, 11, 16].

Claim 12:

The combination of Kuznetsov, Coulthard and Reha discloses the elements of the claimed invention as noted above and furthermore discloses wherein the mobile device includes at least one of a laptop computer and a personal digital assistant [Kuznetsoz, paragraph 7].

Claims 13 and 16:

The combination of Kuznetsov, Coulthard and Reha discloses the elements of the claimed invention as noted above and furthermore discloses wherein the recording of the binary structure in the memory includes mapping the binary structure into an address space [Coulthard, paragraph 11]

Claim 14:

The combination of Kuznetsov, Coulthard and Reha discloses the elements of the claimed invention as noted above and furthermore discloses mapping the binary structure for a subsequent run of the computer application until the file is updated with a new file [Kuznetsov: F contains a translator implies that the translator determines when translation is required, paragraph 40]

Claim 17:

The combination of Kuznetsov, Coulthard and Reha discloses the elements of the claimed invention as noted above and furthermore discloses reading the binary structure at a second running of the computer application [Kuznetsov, paragraph 17].

Response to Arguments

Applicant's arguments filed 6/25/2007 have been considered but are moot in view of the new ground(s) of rejection.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P. LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached on Monday through Friday, 8:00 am - 4:30 pm.
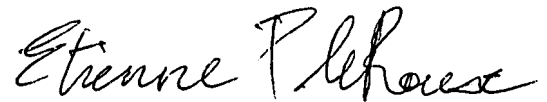
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on (571) 272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

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like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Etienne LeRoux

7/24/2007

ETIENNE LEROUX
PRIMARY EXAMINER